

**NOTE: ANYONE REQUESTING INTERPRETIVE SERVICES FOR THE HEARING IMPAIRED MUST NOTIFY THE TOWN CLERK'S OFFICE AT 253-7000, 72 HOURS IN ADVANCE OF THE MEETING DATE AND ANYONE REQUESTING ASSISTIVE LISTENING DEVICES OR WISHING TO SPEAK ON A MATTER DESIGNATED "CA" (CONSENT AGENDA) ON THE COUNCIL DOCKET MUST NOTIFY THE COUNCIL CLERK PRIOR TO THE COMMENCEMENT OF THE MEETING.**

DATE: September 28, 2011

TIME: 7:00 PM

TOWN HALL - COUNCIL CHAMBERS

PRESENT:

MEETING DATES: October 19, 2011 - Town Council Meeting  
November 9, 2011 - Town Council Meeting  
November 30, 2011 - Town Council Meeting  
December 21, 2011 - Town Council Meeting

**MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA**

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - August 17, 2011
2. Town Council Meeting - September 7, 2011  
(action items)

**(CA)** AA. SUBMISSION OF MINUTES-Boards and Commissions

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Historic District Commission - August 4, 2011
2. Board of Fire Engineers - September 6, 2011
3. Bristol County Water Authority - Board of Directors, August 10, 2011
4. Bristol County Water Authority - Public Relations/Personnel Committee, September 7, 2011

5. Bristol County Water Authority - Audit Finance Committee, September 7, 2011
6. Bristol County Water Authority - Engineering Committee, September 7, 2011
7. Bristol County Water Authority - Ad Hoc Committee, September 7, 2011
8. Bristol County Water Authority - Special Board Meeting, September 7, 2011
9. Zoning Board of Review - July 11, 2011
10. Planning Board - June 14, 2011
11. Bristol Housing Authority - July 21, 2011
12. Post Retirement Board of Trustees - August 3, 2011
13. Post Retirement Board of Trustees - September 1, 2011

B. OLD BUSINESS

1. RFP #737 - Pre-Construction/Construction Management Services for New Animal Shelter Project, **continued from September 7, 2011**
2. Rev. Daniel Randall, First Congregational Church, 281 High Street - request for a mid-block crosswalk and warning signs
3. Administrative report re Midland Farms signage, **continued from September 7, 2011**
  - a. Oryann Lima, Chairman, Historic District Commission to Uzma Baig and Zaheer Abbas - violation letter re Midland Farms, 573 Hope Street
4. Director of Community Development Williamson re comparison of Historic District Commission and Advisory Committee recommendations
5. Councilwoman Parella re Garfield Avenue (Mary Gaspar), **continued from September 7, 2011**

6. Christine Frizzell, 15 Sandy Lane - request to reduce the Zoning Board of Review application fee for certain special use permits, **continued from September 7, 2011**
7. Town Administrator Mederos - recommendations received re request of Stone Harbour Condominium Association for "no parking" signs
8. Councilman Herreshoff re Bristol County Water Authority memorandum of April 13, 2011
9. Councilman Teixeira re entertainment license and bar stool seating
10. Councilman Teixeira re post storm Irene suggestions

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

1. Rizwan Ahmed, The Hourglass, Inc., d/b/a The Hourglass Brasserie, 382 Thames Street - request for a Class B-V alcoholic beverage license

D. ORDINANCES

1. Ordinance #2011-09 as amended, CHAPTER 11, Fees and Charges, Section 11-1, Comprehensive schedule of fees, subsection (43), Mooring and docking fees, and (new) subsection (76), Recreation department summer camp fee, **2<sup>nd</sup> reading for adoption (subsection (43), Mooring and docking fees, continued from July 27, 2011)**
  - a. Domenic Franco, Chairman, Harbor Commission re proposed mooring and dock fees for 2012
2. Ordinance #2011-14, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division 2, License, Section 17-82, Number of licenses (increase B-V licenses from 28 to 29), **2<sup>nd</sup> reading for adoption**

3. Ordinance #2011-15, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division 2, License, Section 17-82, Number of licenses (reduce B limited licenses from 7 to 6), **2<sup>nd</sup> reading for adoption**
4. Ordinance #2011-16, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division 2, License, Section 17-82, Number of licenses (allow a maximum of 6 bar seats for B-V licenses), **2<sup>nd</sup> reading for adoption**
5. Ordinance #2011-17, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division 2, License, (new) Section 17-93, Reversion of licenses, **2<sup>nd</sup> reading for adoption**
6. Ordinance #2011-18, CHAPTER 16, Motor Vehicles and Traffic, Article IV, Operation of Vehicles, Section 16-111, Speed limits (Platt Street, 15 mph), **1<sup>st</sup> reading**

**(CA) E. BUDGET ADJUSTMENTS**

**Approval of consent agenda="Motion to approve these adjustments."**

1. Tax Assessor Spagnolo - Recommended Abatements & Additions for September 2011

**(CA) F. APPOINTMENTS**

**Approval of consent agenda="Motion to approve advertising these Appointments."**

1. Public Service Appointments
  - a. Board of Tenants' Affairs (to fill term to expire in January 2013)
    1. Sandra Carlin McCormack, 1 Reilly Lane - interest/appointment
    2. Martha Reed, 21 Sunset Road - interest/appointment

- b. Economic Development Commission -  
Alternate Members (2) (to fill terms to  
expire in September 2014)
  - 1. Jerry W. Dauterive, 4 Liberty Lane  
- interest/appointment
  - 2. Jaimie Russell, 9 Easterbrooks  
Avenue - interest/appointment
- c. Juvenile Hearing Board - Alternate  
Member (to fill unexpired term to expire  
in December 2011)
  - 1. Marjorie J. McBride, 3 Avenir Court  
- interest/appointment
  - 2. Donna R. Larson, 32 Birchwood Drive  
- interest/appointment
- d. Citizens Property Revaluation Advisory  
Committee (5 to 7 members)
  - 1. James W. Casalegno, 15 Acacia Road  
- interest/appointment
  - 2. Fred Eichmann, 123 Fales Road -  
interest/appointment
  - 3. Ann S. Gardner, 17 Acacia Road -  
interest/appointment
- e. Newport and Bristol County Convention  
and Visitors' Bureau (to fill term to  
expire in September 2013)
  - 1. Stephan Brigidi, 93 Highland Road -  
interest/reappointment
  - 2. Tony M. Brum, 240 Franklin Street -  
interest/appointment
- f. Bristol County Water Authority - Board  
of Directors (2) (to fill a term to  
expire in February 2014 and an unexpired  
term to expire in 2013)
  - 1. Joseph S. DeMelo, 3 Roosevelt Drive  
- interest/appointment

2. Gerald A. Mederos, 382 Wood Street  
- interest/appointment
3. Paul L. Bishop, 66 Franklin Street  
- interest/appointment

(CA) 2. Public Service Appointments (October)

G. LICENSING BOARD - NEW PETITIONS

1. Rizwan Ahmed, The Hourglass, Inc., d/b/a The Hourglass Brasserie, 382 Thames Street - request for a Class B-V alcoholic beverage license (see agenda item C1 also)
2. Marie Mauricio for St. Elizabeth Church/Holy Ghost, 577 Wood Street - request for a One-Day Dancing and Entertainment License, October 1, 2011
3. Michael J. Ferreira, d/b/a Gillary's, 198 Thames Street - request for a One-Day Sunday Dancing and Entertainment License (October 19, 2011)
4. Tess M. Riley and Liz Lombardi, d/b/a Boutique at 346, 346 Wood Street - request for a Junk and Second Hand Dealer's License (call for public hearing October 19, 2011)

H. LICENSING BOARD - RENEWALS

1. Ardy Jagne, d/b/a My Shisha Café, 261 Wood Street - six (6) month review of Victualling License (license issued on March 31, 2011)

(CA) I. UTILITY PETITIONS

**Approval of consent agenda="Motion to approve these petitions."**

1. Director of Public Works - Road Cut Permits

J. PETITIONS - OTHER

1. Henry Sousa, 147 Bay Spring Avenue, Barrington re pension request for years of service on the Board of Canvassers

2. Lynn M. Shaw, d/b/a Harbor Bath & Body, on behalf of the Downtown Bristol Merchants Association, et al - request for permission to hold a sidewalk sale event (October 7, 8 and 9, 2011) in the downtown district (as noted on petition)
3. Anthony Micheletti, 28 Lisa Lane, re claim for property damage
4. Matthew Dunham, President, Clear Carbon & Components, Inc. to Town Administrator Mederos re tax stabilization request for property located at 108 Tupelo Street

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Department of Environmental Management, Office of Water Resources, Water Quality Certification Program re notice of proposed project located at Colt State Park
2. Marion Gold, Director of Outreach Center/Land Grant Energy Programs, URI, and Jennifer McCann, Director of Extension Programs for RI Sea Grant College Program, URI, re Municipal Working Group Invitation to the Rhode Island Renewable Energy Siting Partnership (RESP)
3. Director of Community Development Williamson re Walley School Arts Center Re-Use Plan
4. Dan Beardsley, Executive Director, Rhode Island League of Cities and Towns, re R.I. Energy Aggregation Program (REAP)
5. Council Chairman Marshall re review current ordinance concerning tree trimming in collaboration with Administration, National Grid and the Bristol Conservation Commission
  - a. Town Code Section 25-29 and 25-30

L. BILLS & EXPENDITURES

1. Bid #738 - Improvements to State Street Dock
2. Councilman Barboza re request appropriation in support of 9/11 Candlelight Vigil

3. Town Treasurer Goucher re request approval for Bristol Redevelopment Agency funds from prior year to be carried forward to FY12 budget

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

**Approval of consent agenda="Motion to receive and place this item on file."**

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement, September 23, 2011

P. PROCLAMATIONS & CITATIONS

1. Proclamation - First Baptist Church, bi-centennial celebration

(CA) Q. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Louise R. Phanuef, Burrillville Town Clerk - resolution requesting General Assembly consideration re RIPTA funding; to address the pension crisis and also adopt funding mechanisms
2. Steven A. Sette, Richmond Town Administrator, re request for support opposing the implementation of tolls on Interstate Route 95

(CA) R. DISTRIBUTIONS/COMMUNICATIONS

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Marie Mauricio, on behalf of St. Elizabeth Church/Holy Ghost, 577 Wood Street - Class F License petition for event to be held on October 1, 2011 (approved August September 2, 2011)
2. Marie Mauricio, on behalf of St. Elizabeth Church/CCO, 577 Wood Street - Class F License



petition for event to be held on October 29, 2011 (approved August September 2, 2011)

3. Recommendation of Police Chief Canario re request of Richard Chartier, 36 Platt Street, et al to reduce the speed limit on Platt Street from 25 to 15 mph (referred to Town Solicitor to draft ordinance September 7, 2011)
4. Recommendation of Police Chief Canario re request for removal of handicap parking space at 19 Baker Street, (granted September 7, 2011)
5. Recommendation of Public Works Director Serbst re request of National Grid to install a joint owned pole on Tupelo Street (approved September 7, 2011)
6. Council Clerk Cirillo to E. Keith Maloney - thank you for service
7. (Bristol County Water Authority) re BCWA in the News, miscellaneous correspondence September 2011
8. Director of Community Development Williamson re DCS Energy Solar Panel Installation
9. Deborah A. Gatta, Director of Finance, Newport Convention & Visitors' Bureau re Independent Auditors' Report for year ending March 31, 2011
10. Council Clerk Cirillo to Director of Public Works re removal of handicap parking space in front of 19 Baker Street
11. Council Clerk Cirillo to Director of Public Works re handicap parking space added in vicinity of 8 Bay View Avenue
12. Council Clerk Cirillo to Director of Public Works re removal of handicap parking space in front of 116 State Street
13. State Planning Council - Public Notice re Transportation Improvement Program FY 2013-2016

14. RIDOT - Community Update re Hope Street Project, September 12 - 30, 2011
15. Coastal Resources Management Council - semi-Monthly meeting, September 27, 2011
16. P. DeLise, P.E., Executive Director, Bristol County Water Authority to Board of Directors re J & J Black

**(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS**  
(Office copy only)

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Bristol Warren Regional School District - schedule of meetings, week of September 5, 2011
2. Bristol Warren Regional School Committee - BWEA Contract Negotiation Subcommittee, September 8, 2011
3. Board of Tax Assessment Review - September 14, 2011
4. Board of Tax Assessment Review - September 21, 2011
5. Christmas Festival Committee - September 8, 2011
6. Bristol County Water Authority - Public Relations/Personnel Committee, September 7, 2011
7. Bristol County Water Authority - Audit Finance Committee, September 7, 2011
8. Bristol County Water Authority - Engineering Committee, September 7, 2011
9. Bristol County Water Authority - Ad Hoc Committee, September 7, 2011
10. Bristol County Water Authority - Special Board Meeting, September 7, 2011

11. Bristol County Water Authority - Board of Directors, September 14, 2011
12. Bristol County Water Authority - Board of Directors, September 14, 2011 (revised)
13. Bristol Warren Regional School District - schedule of meetings, week of September 12, 2011
14. Bristol Warren Regional School Committee - BWEA Contract Negotiation Subcommittee, September 12, 2011
15. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee, September 19, 2011
16. Bristol Warren Regional School Committee- special meeting, September 19, 2011
17. Harbor Commission - September 12, 2011
18. Recreation Board - September 13, 2011 (cancelled)
19. Bristol Warren Regional School District - schedule of meetings, week of September 19, 2011
20. Bristol County Water Authority - October 2011 Meeting
21. Board of Tax Assessment Review - October 5, 2011
22. Bristol Warren Regional School District - schedule of meetings, week of September 26, 2011
23. Bristol Warren Regional School Committee - September 26, 2011

S. TOWN SOLICITOR

1. Request for Executive Session pursuant to RIGL § 42-46-5(a)(5) Acquisition of Property (easements) - Tanyard Brook

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL
2. BARBOZA
3. TEIXEIRA
4. HERRESHOFF
5. PARELLA

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

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CITIZENS PUBLIC FORUM

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ADJOURNED: \_\_\_\_\_

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